

COMMONWEALTH OF MASSACHUSETTS
State Building Code (780 CMR) Appeals Board
Board's Ruling on Appeal¹

Docket No. 08-646

Appellant(s): Donald Lang

vz. Appellee(s): City/Town of Wellesley
Michael Grant

Procedural History

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant him a variance from 780 CMR 1022.2.4, for the 3 to 13 Washington Street, Wellesley, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.*; and 780 CMR 122.3.4, the Board convened a public hearing on October 2, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

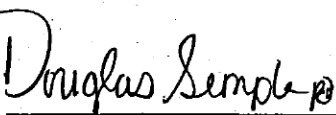
The Appellant appeared for the hearing *pro se*. Russ Wheeler was present as well.

Discussion

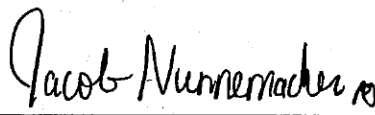
A motion was made to grant the Appellant's request for a variance from 780 CMR 1022.2.4, and allow that handrails be installed as shown in the design contained in the submittal package that was presented with this docket. The motion noted that the Wellesley Building Department and the MA Architectural Access Board had no objections to the granting of this variance. The motion also noted that if handrail extensions were added it may increase the safety hazard of public access at these stairs. There was a second on the motion and a board vote was taken, which was unanimous.

Conclusion

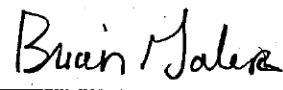
The Appellant's request for a variance from 780 CMR 1022.2.4, is hereby granted and so ordered² on this date: October 2, 2008.



Douglas Semple



Jacob Nunnemacher



Brian Gale

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

² In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.